

REMARKS/ARGUMENTS

Claims 1-22 are pending herein. The amendment to claim 1 is supported by Figs. 1 and 7 and in the specification at paragraph [0034], for example. New claim 21 has been added as supported in the specification at paragraph [0034] and Table 1, for example. New claim 22 has been added as supported by Figs. 7 and 9 and in the specification at paragraphs [0048]-[0049] and Table 1, for example. Applicants respectfully submit that no new matter has been added.

Examiner Olsen is thanked for the courtesies extended to Applicants' representatives during a telephonic interview on April 30, 2008. The substance of that interview has been incorporated into the following remarks.

1. Claim 1, 2, 5, 6, 13, 14, 17 and 18 were rejected under §102(b) over WO '302. To the extent that this rejection may be applied against the amended claims, it is respectfully traversed.

Amended claim 1 recites a gas sensor comprising a gas detecting section and a heater section secured in the gas sensor. The heater section includes a heating element sandwiched between two porous layers that define a support which supports at least the heating element. Amended claim 1 further recites a reference gas space extending along a longitudinal direction of the gas sensor and an opening section that extends through and is completely surrounded by at least one layer of the gas sensor and extends substantially perpendicular to the reference gas space to provide communication between the reference gas space and the heater section so as to reduce pressure generated between the heating element and the support.

WO '302 discloses an electrochemical sensor including at least one measuring electrode and at least one reference electrode which are exposed to a measuring gas. The sensor disclosed in WO '302 further includes at least one heating device and a reference gas channel through which the reference gas is supplied to the reference electrode via a porous layer.

During the interview, Examiner Olsen agreed that the amendment to claim 1 overcomes the pending rejection. Accordingly, Applicants respectfully request that Examiner Olsen reconsider and withdraw this rejection.

2. Claims 3, 4, 7, 8, 15, 16, 19 and 20 were rejected under §103(a) over WO '302 in view of Müller, and claims 9-12 were rejected under §103(a) over WO '302, or WO '302 in view of Müller, further in view of Haecker. These rejections are respectfully traversed, because all of these claims ultimately depend from amended claim 1, and amended claim 1 is patentable for the reasons explained above.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

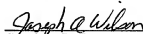
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, Examiner Olsen is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

May 7, 2008

Date



Stephen P. Burr
Reg. No. 32,970

Joseph A. Wilson
Reg. No. 53,780

SPB:JAW:jms

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320